

MEMORANDUM

DATE: May 23, 2023

TO: Planning Commissioners

CC: Mayor Tab Bowling; Ruth Priest; Herman Marks; Tom Polk; Dane Shaw, Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

May 23rd, 2023

Pre-meeting – 2:45 p.m. (Council Chambers)

Meeting – 3:30 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL

May 23rd, 2023

Time: 3:30 PM

City Council Chambers

Commissioners: **Kent Lawrence**, *Chairman*; **Gary Borden**, *Vice Chairman*; **Larry Wayne**, *Secretary*; **Hunter Pepper**; **Frances Tate**; **Joseph Wynn**; **Eddie Pike**; **Myrna Burroughs**; **Forrest Temple**

CALL MEETING TO ORDER

APPROVAL OF MINUTES – April 2023 & Special Called April 2023

PUBLIC HEARING

ZONING

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PUBLIC HEARING**Pre-zoning**

FILE NAME OR NUMBER: Pre-zoning 1417-23

ACRES: 19.59 +/-

CURRENT ZONE: None

APPLICANT: KL Enterprises Inc. for Mitchell Ventures, LLC

LOCATION AND OR PROPERTY ADDRESS: 2709 Beltline Road SW

REQUEST: Approve pre-zoning of 19.59 acres

NEW ZONE: M-1A Expressway Commercial

PROPOSED LAND USE: Multi-family

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood & Community Commercial

ONE DECATUR STREET TYPOLOGY: Beltline Road SW is a Principle Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**Comments from Zoning Committee:**

Zoning Committee voted unanimously in favor of this request.

Conditions

1. Subdivision of Property with Morgan County Must Be Completed Before Forwarding to City Council for Consideration

Pt. of Info:

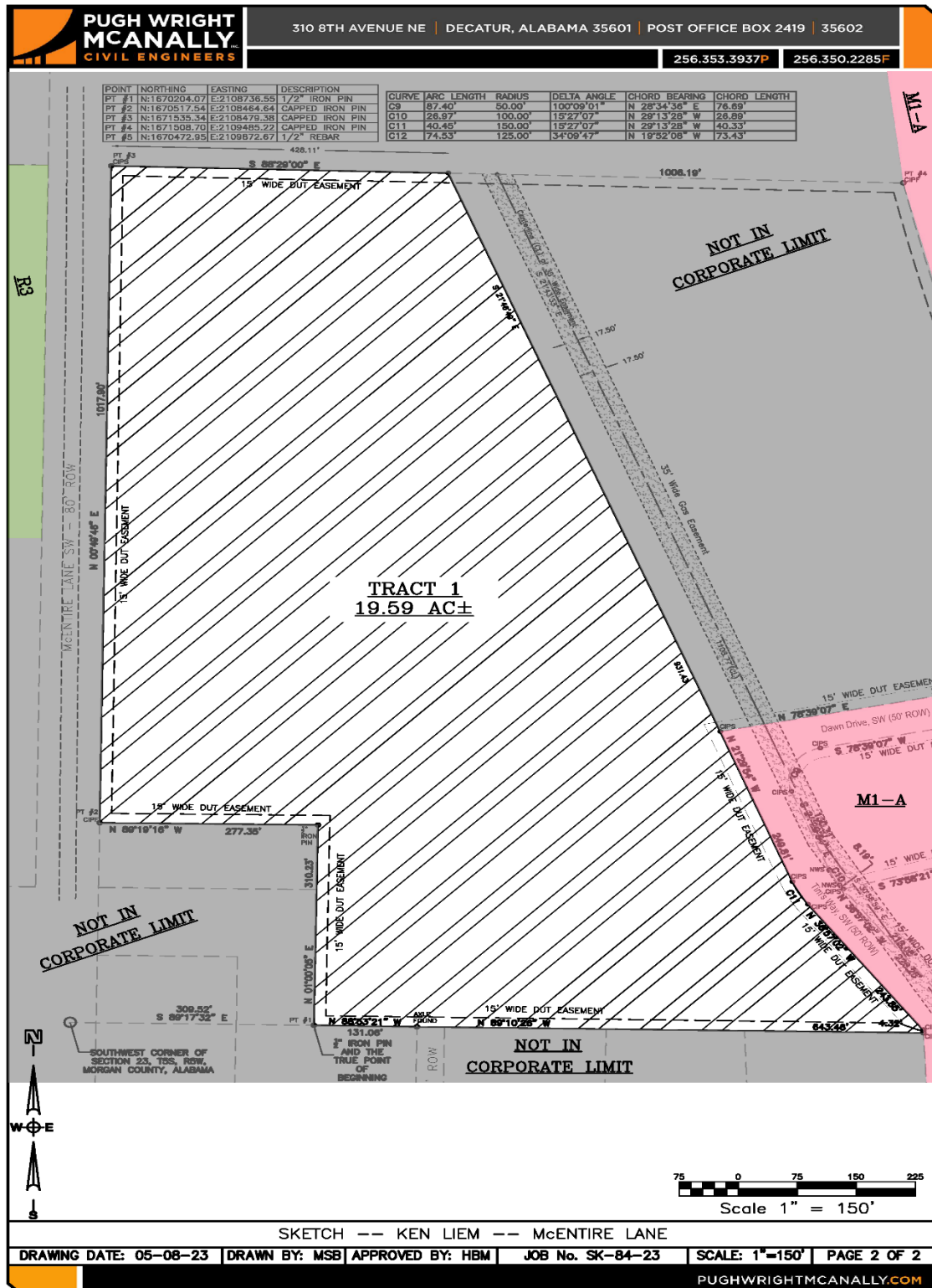
Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:

Planning Commission voted unanimously in favor of this request 7-0.







ZONING DISTRICT COMPARISON None to M-1A		May 23rd, 2023
SECTION	None	M-1A
USES PERMITTED		On premises sale and off premises sale of alcoholic beverages; public and semi-public uses, including governmental buildings, hospitals, clinics, churches, schools, academies, and clubs; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the subdivision regulations as amended. Any retail or wholesale business of service not specifically restricted or prohibited; provided that special consideration is given for the development of all uses and their relationship to the adjoining service roads providing direct access, or adjoining "expressways" or other major arterial as designated by the major thoroughfare plan which may provide direct, or indirect access via a service road. The plat and plan of the proposed use and any subsequent addition thereto shall be submitted and have the approval of the planning commission before any structures or uses are authorized in these districts and before a building permit is issued for any structure or certificate of occupancy given for any use not requiring a structure.
USES PERMITTED ON APPEAL		Light industrial operations not obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor, or effluents; mobile home parks,

ZONING DISTRICT COMPARISON None to M-1A		May 23rd, 2023
SECTION	None	M-1A
		provided such parks are laid out and utilities are made available for not less than ten trailers or mobile homes; and any use permitted in an R-4 Residential District, provided such use shall be subject to all district requirements thereof as set forth and specified in section 25-10 hereof, other than the maximum height provision set forth therein which shall not be applicable, provided however no such use permitted on appeal shall have direct access to the Beltline Road (Alabama Highway 67) unless such applicant shall present to the board of zoning adjustment a limited access plan in writing, approved by the city engineer, or other duly designated authority, which plan must meet the approval of the board, and be a condition of any grant or approval by such board.
USES PROHIBITED		Stockyard; live animals or poultry sales; coal yards; lumber mills; auto wrecking; grist or flour mills; ice plants; junk scrap paper, rag, storage or bailing; stone or monument works. Any use as determined by Building Director whose operations would be obnoxious, offensive, or detrimental to neighborhood property by reason of dust, smoke, vibration, noise, odor, effluence, or appearance.
MINIMUM LOT SIZE		It is the intent of the ordinance that lots of sufficient size be used for any use to provide adequate off-street parking and off-street loading space in addition to the space required for the other normal operations of the enterprise or use.
MINIMUM YARD SIZE W/ SETBACKS		Sixty (60) foot minimum set back from and along the Beltline Road; thirty-five (35) foot minimum set back from and along all other public street rights-of-way; thirty-five (35) foot minimum rear yard; and no side yard required excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a twenty-five (25) foot minimum yard size. Gasoline pump islands (uncovered) may be placed within the front

ZONING DISTRICT COMPARISON None to M-1A		May 23rd, 2023
SECTION	None	M-1A
		yard or set back area along the Beltline Road provided they maintain a thirty-five (35) foot minimum set back from all public street rights-of-way. In the event of conflict between any of the provisions herein, the stricter of such provisions shall apply.
MAXIMUM BUILDING AREA		40 per cent of lot area including specified yard space providing that required off-street parking and off-street loading and unloading areas are provided.
MAXIMUM BUILDING HEIGHT		None
OFF STREET PARKING		See § 25-16.
OFF-STREET LOADING AND UNLOADING		Adequate space for loading and unloading of all vehicles or trucks incidental to the operation of the business or use shall be provided.

Minor Plat

FILE NAME OR NUMBER: Minor Plat- Replat of Units 1, 2, 3, and 4 of A replat of lots 5 and 6 of Collier Subdivision

ACRES: 6.79 +/- acres

CURRENT ZONE: M-1 (Light Industry District)

APPLICANT: Pugh Wright McAnally for Joe Snoddy

LOCATION AND OR PROPERTY ADDRESS: Approx. 1951 Central Parkway SW

REQUEST: Approve a minor plat

PROPOSED LAND USE: Industrial

ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Central Parkway SW is a Minor Arterial

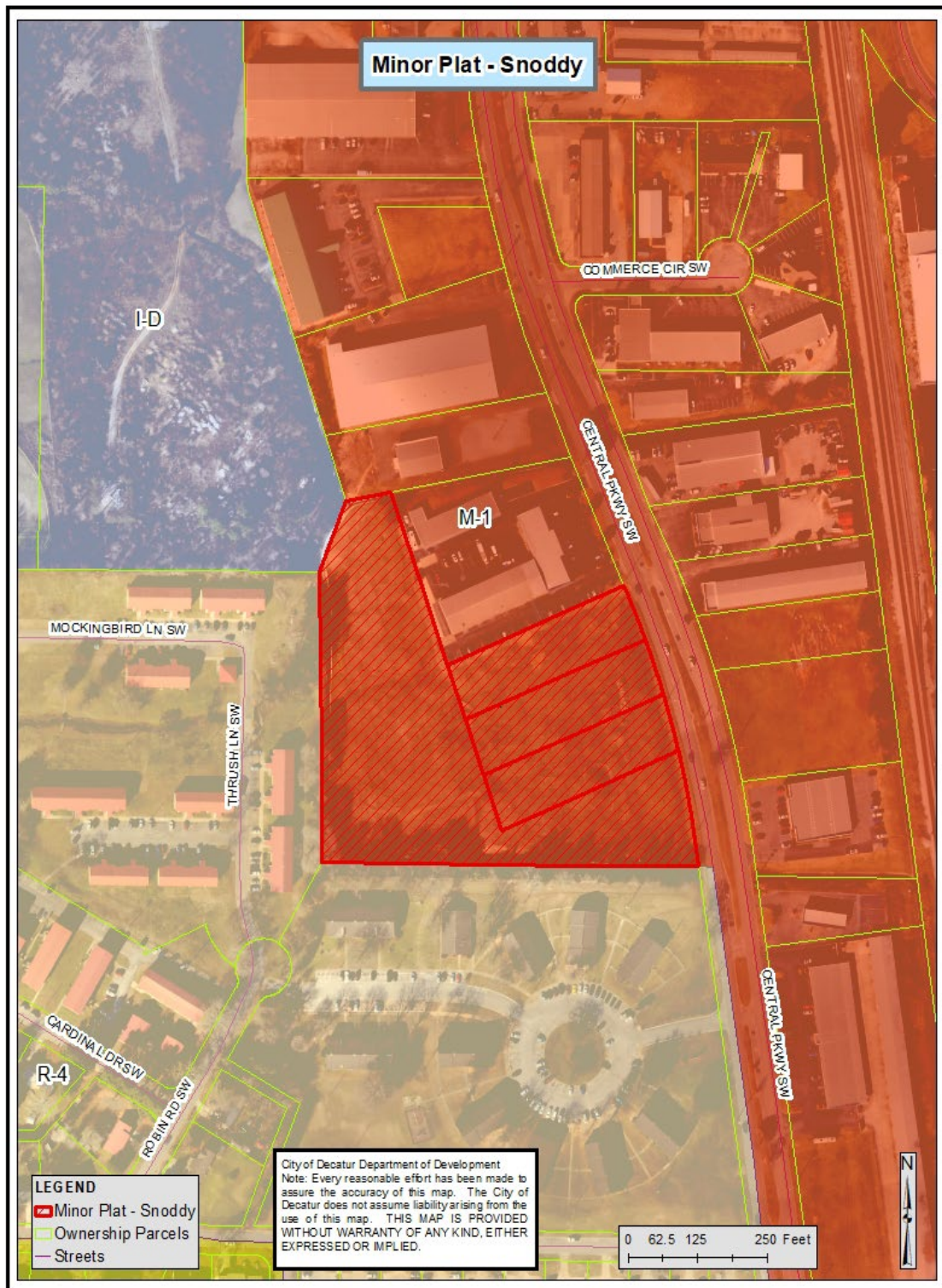
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. Signed Application
2. Legal Description
3. Recording Fees
4. Need topo plan

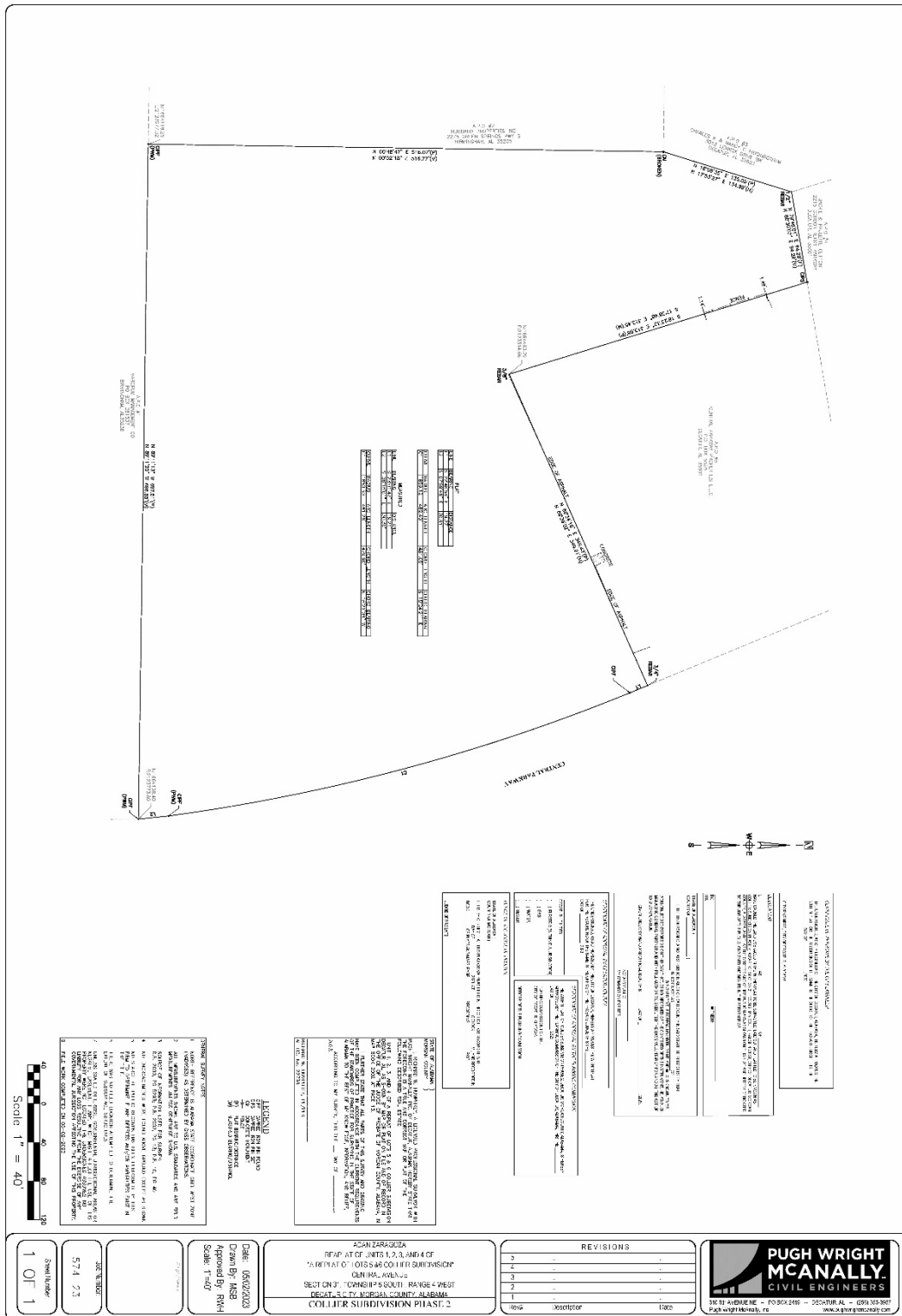
Pt. of Info:

Any relocation of utilities will be at the owner's expense





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END PUBLIC HEARING**CONSENT AGENDA****Certificate**

FILE NAME OR NUMBER: Cert. 3599-23

ACRES: 0.98

CURRENT ZONE: R-1 (Single Family Residential District)

APPLICANT: Pugh Wright McAnally for Clay Campbell

LOCATION AND OR PROPERTY ADDRESS: 2419 Stratford Rd SE

REQUEST: Consolidate two lots into a single parcel of 0.98 acres

PROPOSED LAND USE: Residential

ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Stratford Rd SE is an Urban Collector

**COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW
COMMITTEE:****Conditions to be met:**

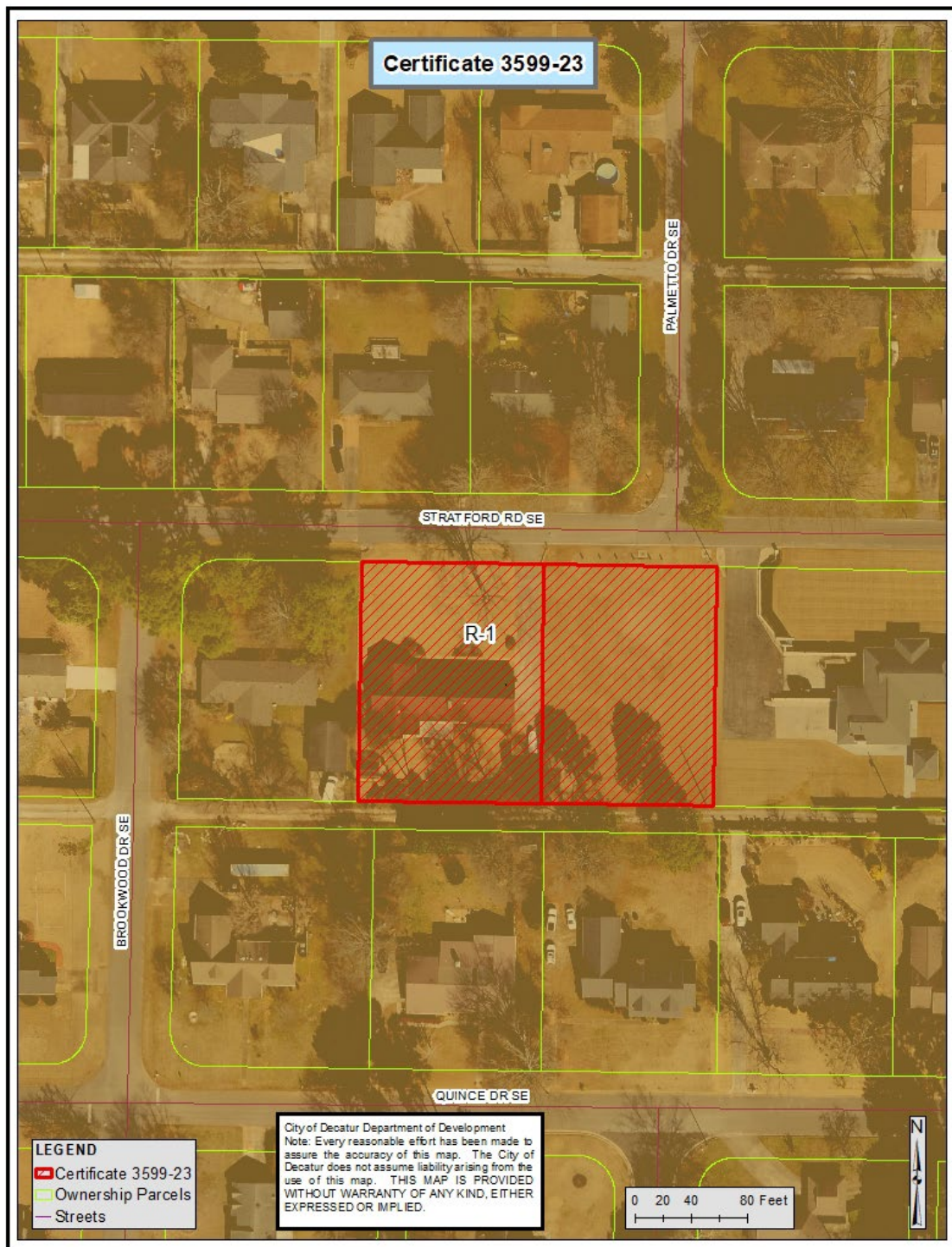
1. Signed Request Letter
2. Application and Recording Fees
3. Signed, Sealed Certificate
4. 5' Easement on East Property Boundary for Gas Main

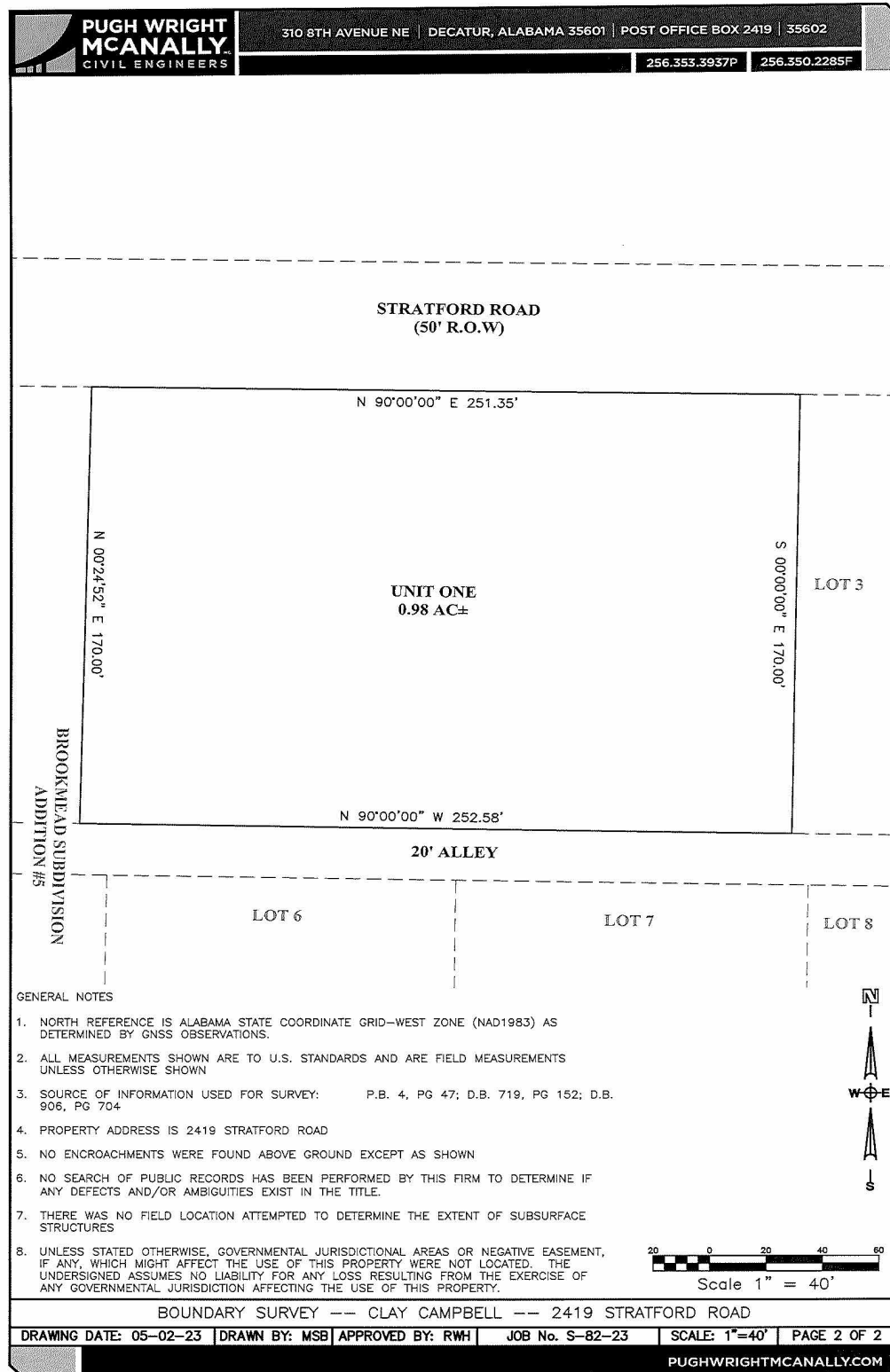
Pt. of Info:

Any relocation of utilities will be at the owner's expense

Any accessory structure constructed will have to be behind the rear plane of the primary structure







FILE NAME OR NUMBER: Cert. 3600-23

ACRES: 1.19 +/-

CURRENT ZONE: RD-2 (Redevelopment District – 2)

APPLICANT: Tacala, LLC for Sixth Ave Properties and Seventh Ave Properties

LOCATION AND OR PROPERTY ADDRESS: 1102 6th Ave SE

REQUEST: Consolidate multiple lots into a single parcel of 1.19 acres

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Urban Edge Mixed Use

ONE DECATUR STREET TYPOLOGY: 6th Ave SE is a Principal Arterial

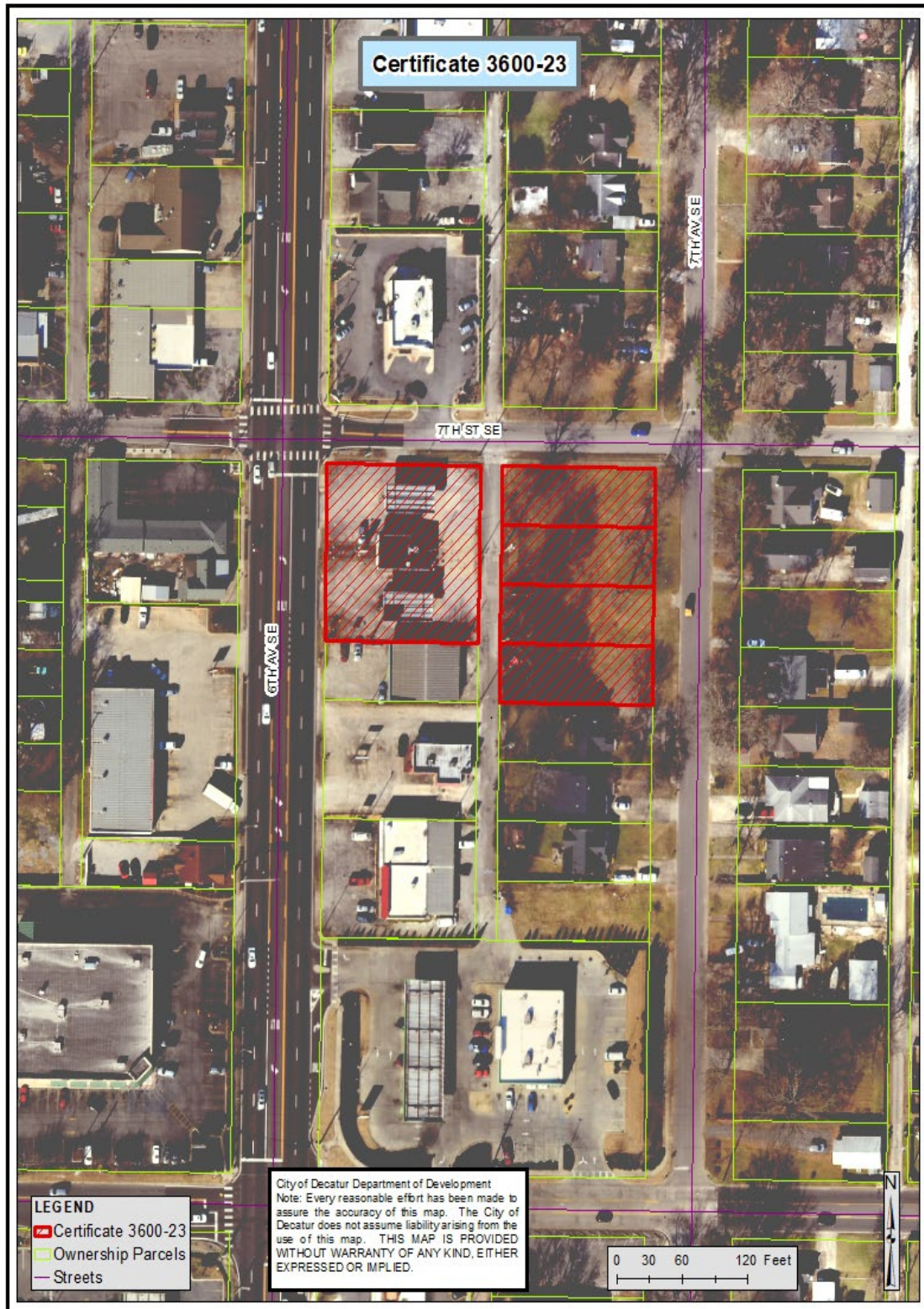
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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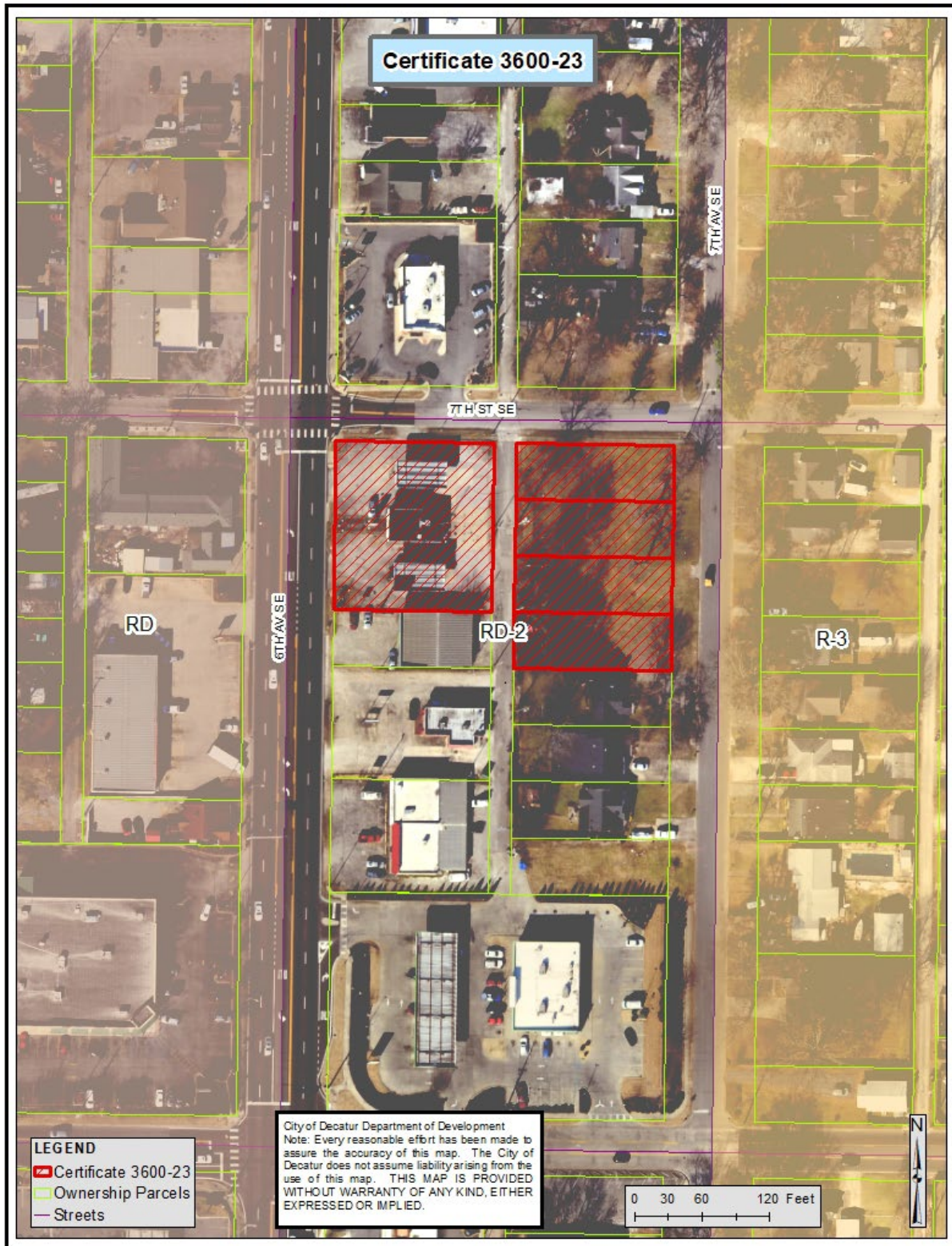
Conditions to be met:

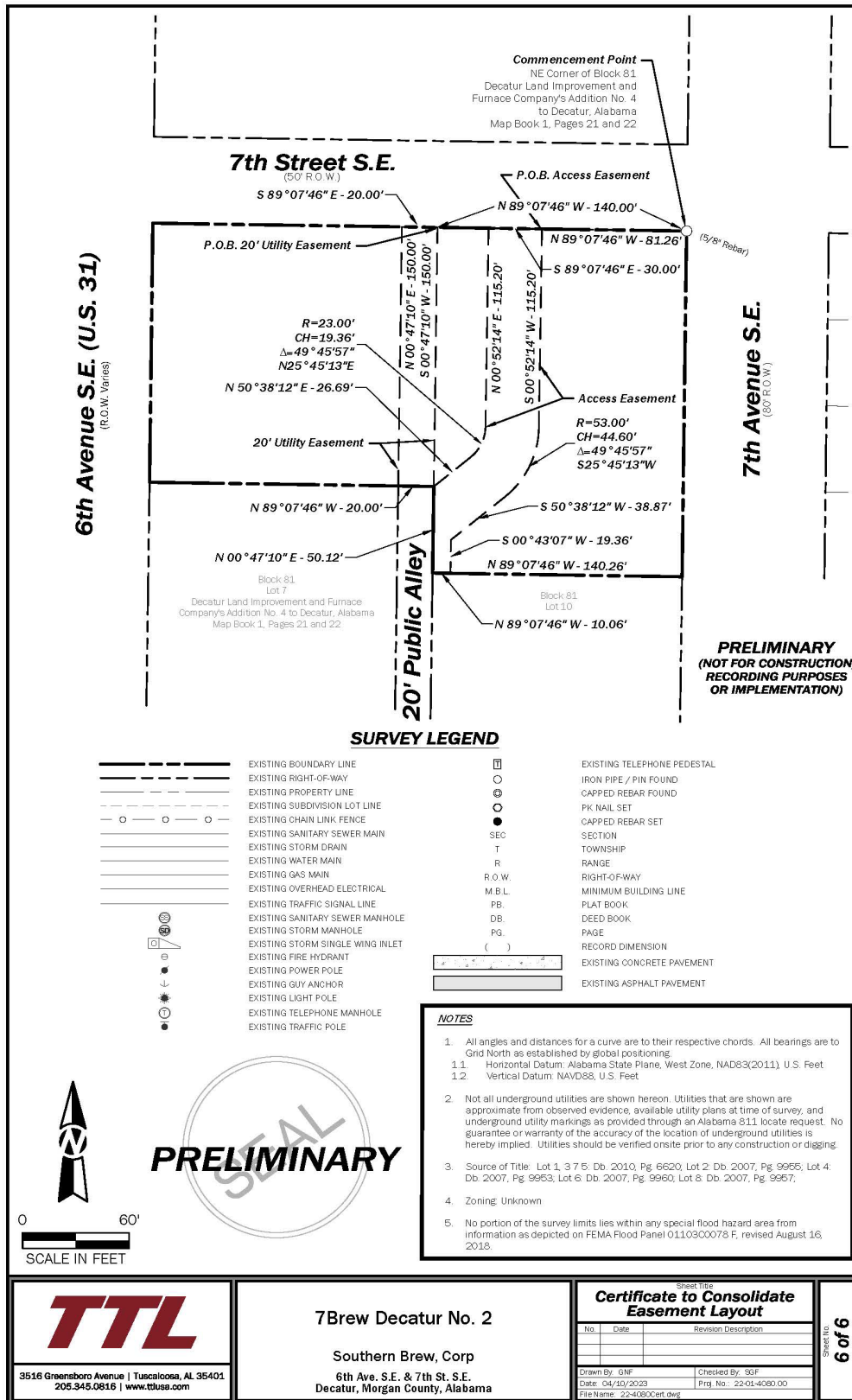
1. Signed, Sealed Certificate
2. Approval of Vacation 545-23
3. 5' Easement Needed on All Property Boundaries for Electrical Service
4. "Access Easement" label should be updated to "public access ingress/egress easement" on Certificate

Pt. of Info:

Any relocation of utilities will be at the owner's expense







Site Plans

FILE NAME OR NUMBER: Site Plan 653-23

ACRES: 1.19 +/-

CURRENT ZONE: RD-2 (Redevelopment District – 2)

APPLICANT: Tacala, LLC for 7 Brew Coffee

LOCATION AND OR PROPERTY ADDRESS: 1102 6th Ave SE

REQUEST: Approve a site plan

PROPOSED LAND USE: Commercial – Coffee Shop

ONE DECATUR FUTURE LAND USE: Urban Edge Mixed Use

ONE DECATUR STREET TYPOLOGY: 6th Ave SE is a Principal Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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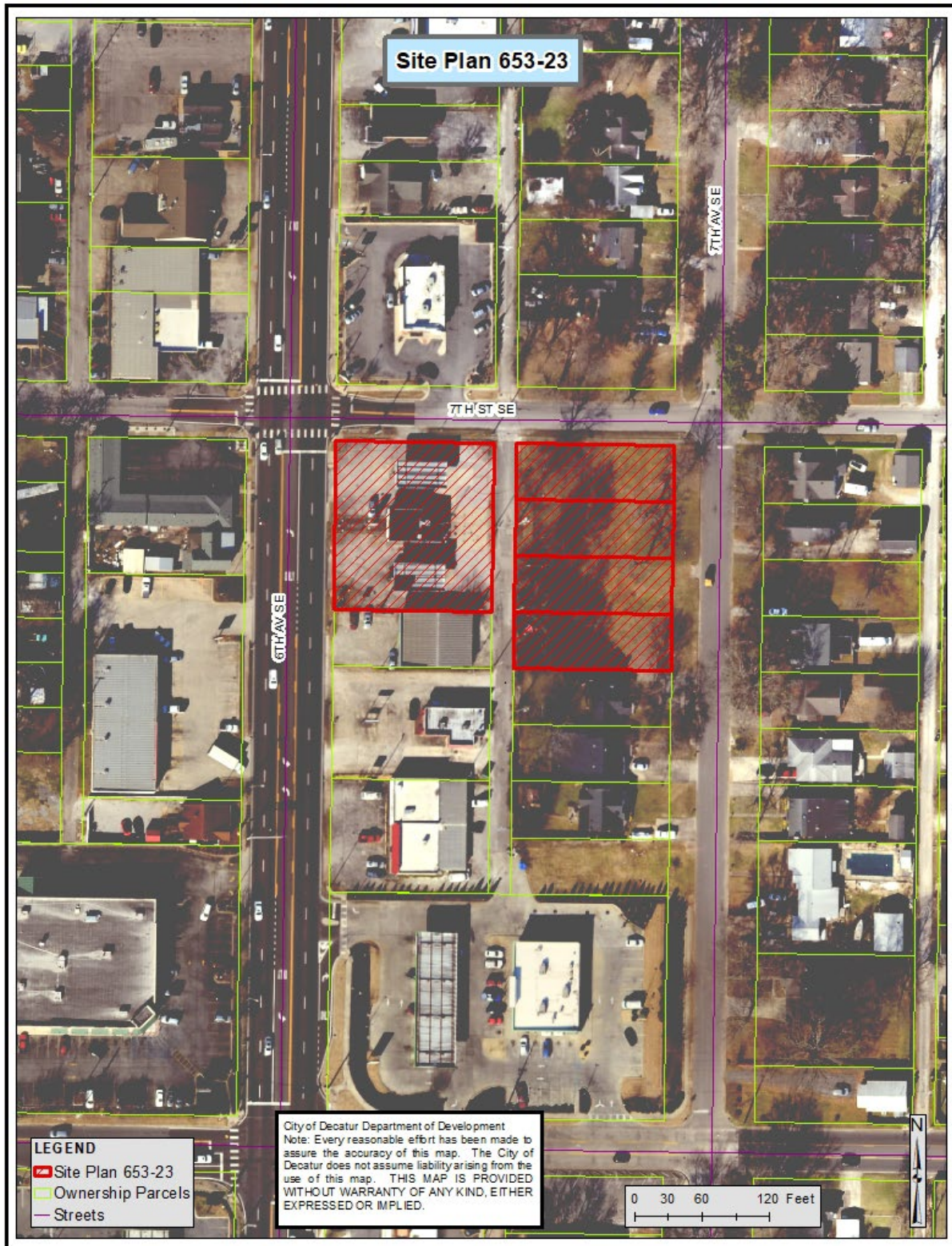
Conditions to be met:

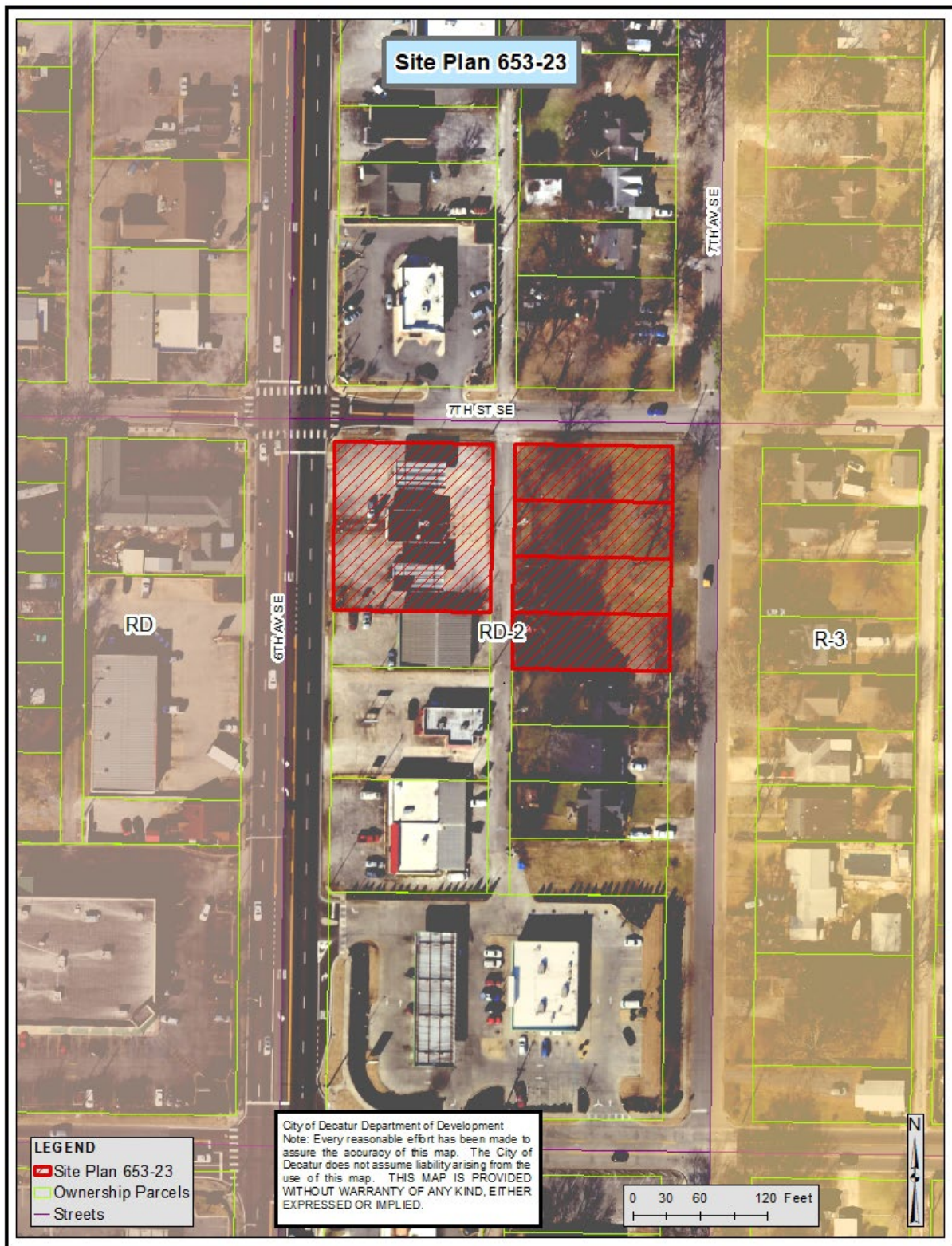
1. Application Fee
2. Lighting Values Needed to Property Line
3. Fence Required on Property Boundary Shared With Residential Property and Needs Shown on Plans
4. Signage Plan Needed
5. Approval of Certificate 3600-23
6. Approval of Vacation 545-23
7. Per Engineering Approval
8. Show Power Poles on Plan

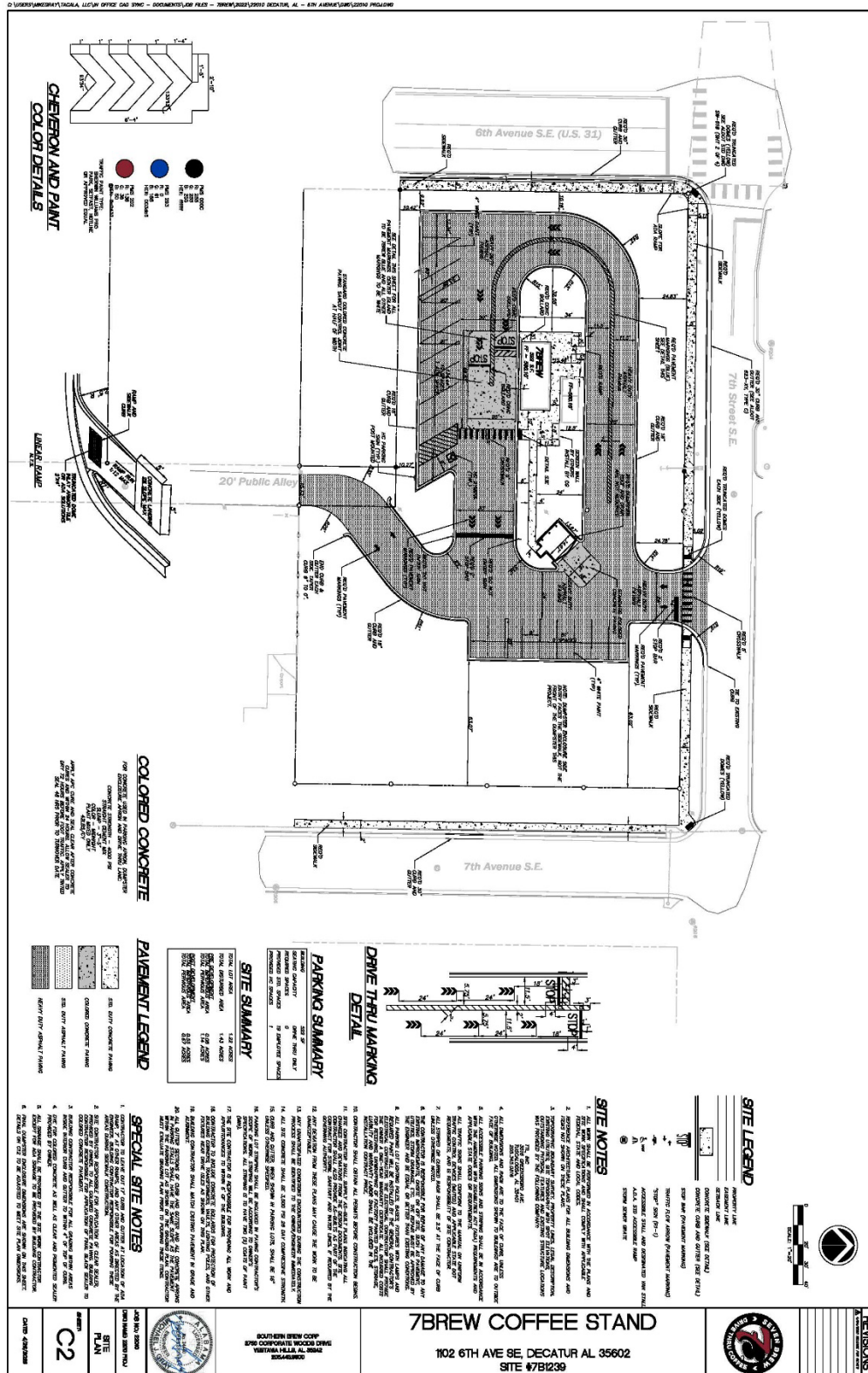
Pt. of Info:

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Grease interceptor system design must be submitted to and approved by DU prior to installation







FILE NAME OR NUMBER: Site Plan 654-23

ACRES: 2.73 +/-

CURRENT ZONE: M-2 (General Industry District)

APPLICANT: Pugh Wright McAnally for Ramjett Properties

LOCATION AND OR PROPERTY ADDRESS: Approx. 700 Summit Dr SE

REQUEST: Approve a site plan

PROPOSED LAND USE: Industrial

ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Summit Drive SE is a Local Street

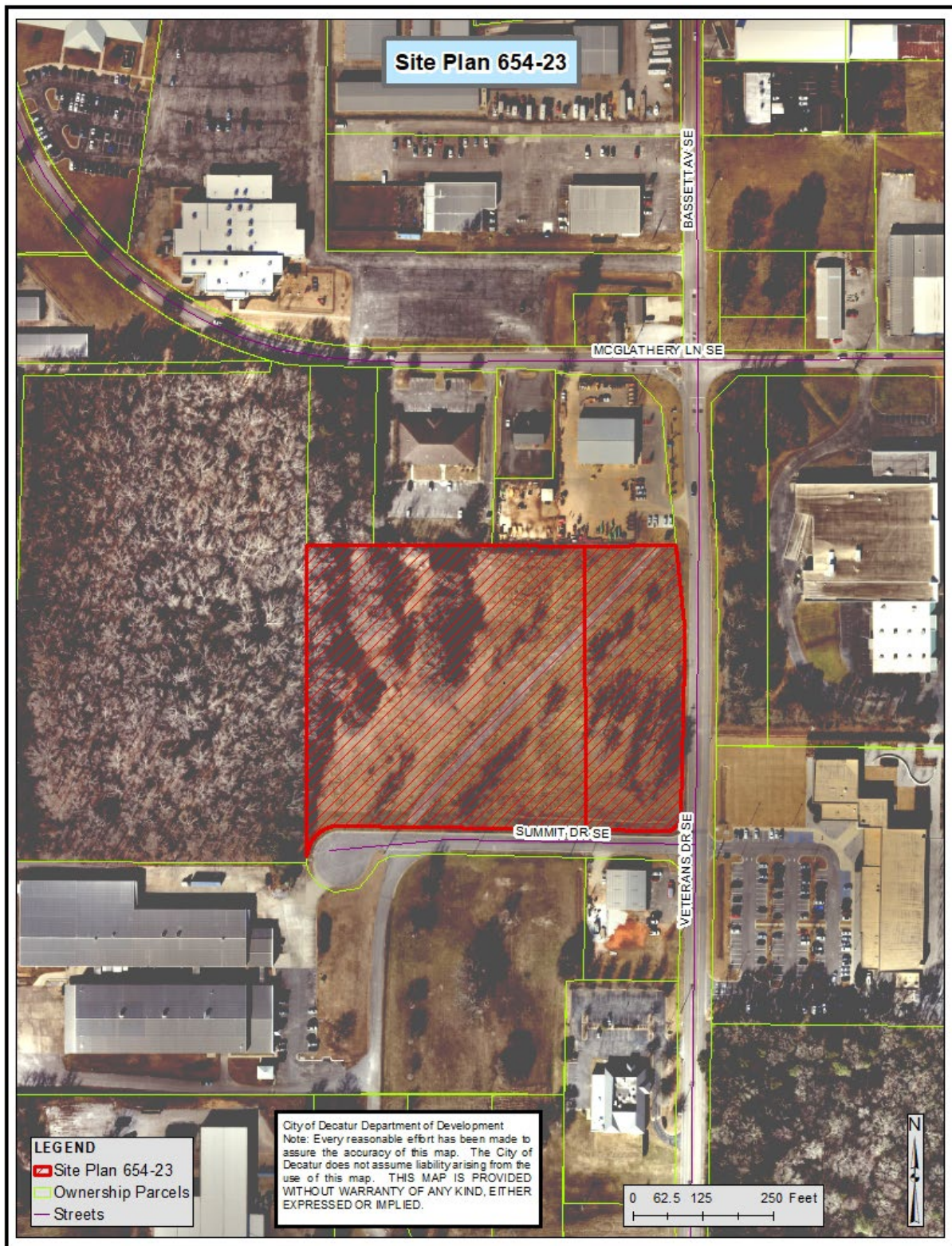
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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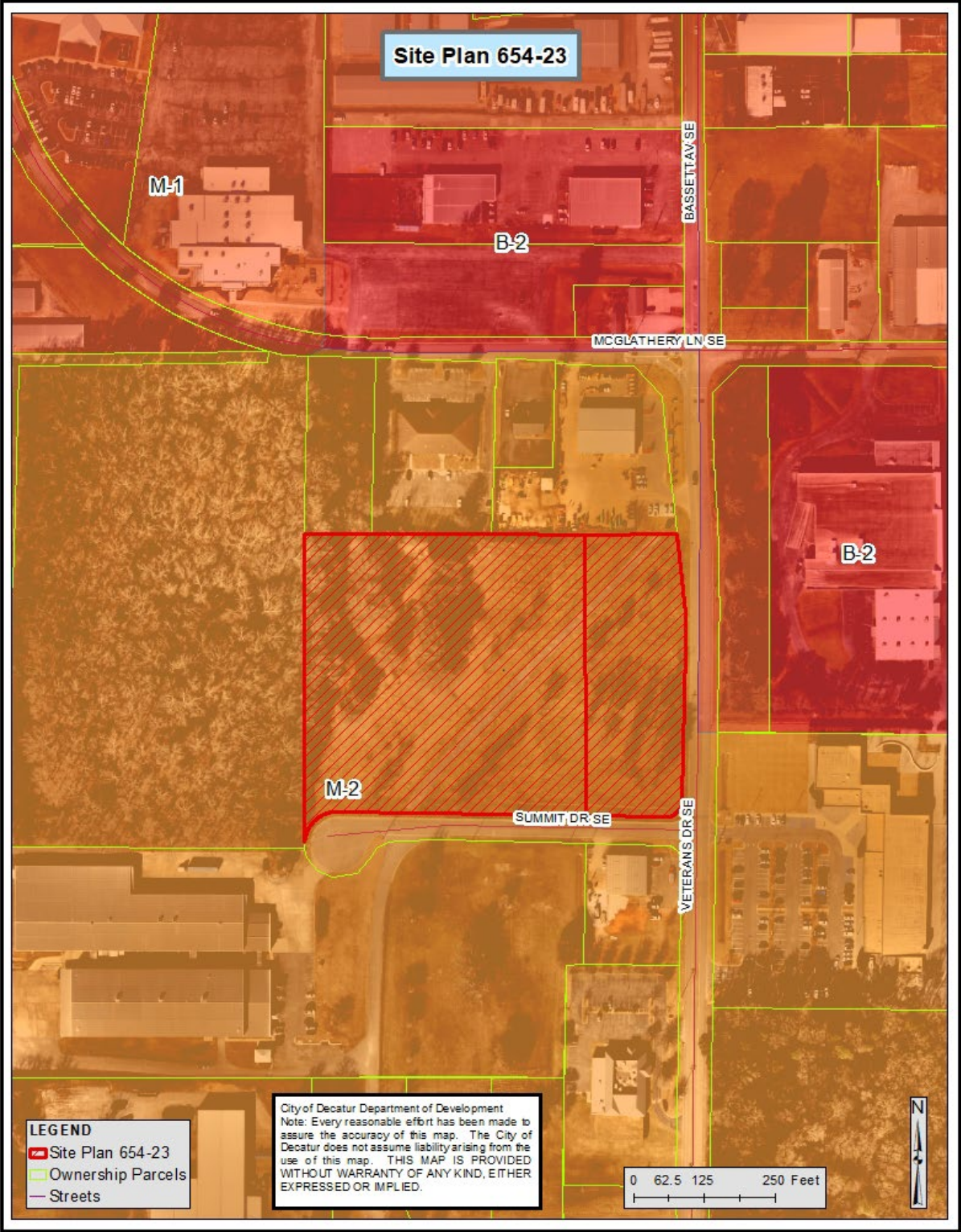
Conditions to be met:

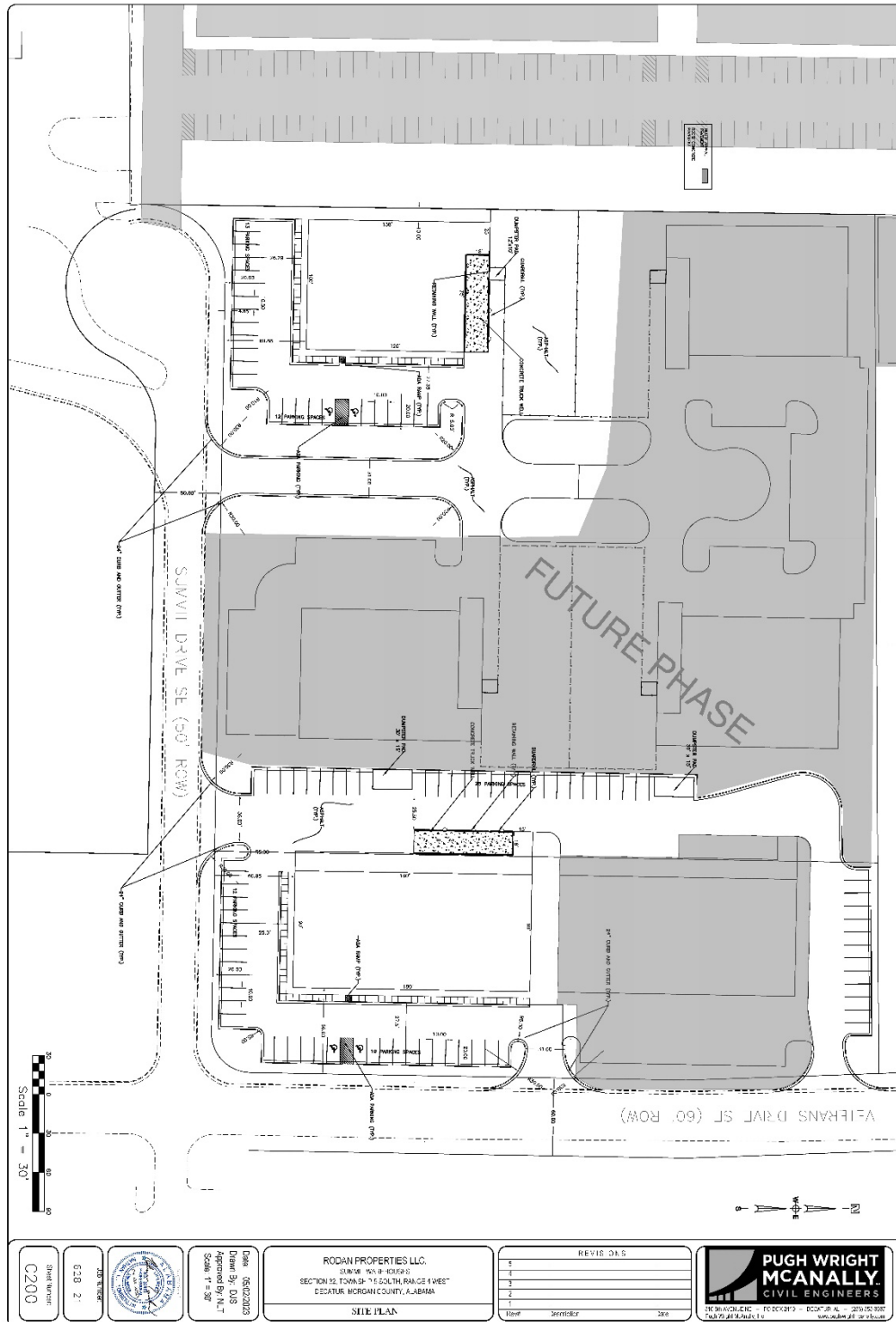
1. Parking Calculation Needed
2. Landscape and Lighting Plan Needed
3. Signage Plan Needed
4. Per Engineering Approval

Pt. of Info:

Any relocation of utilities will be at the owner's expense







END CONSENT AGENDA**OTHER BUSINESS****Vacation**

FILE NAME OR NUMBER: Vacation 545-23

ACRES: 0.06 +/-

CURRENT ZONE: RD-2 (Redevelopment District – 2)

APPLICANT: Tacala, LLC for Sixth Ave Properties and Seventh Ave Properties

LOCATION AND OR PROPERTY ADDRESS: 1102 6th Ave SE

REQUEST: Approve vacation of alley ROW

PROPOSED LAND USE: Commercial

ONE DECATUR FUTURE LAND USE: Urban Edge Mixed-Use

ONE DECATUR STREET TYPOLOGY: 6th Ave SE is a Principal Arterial

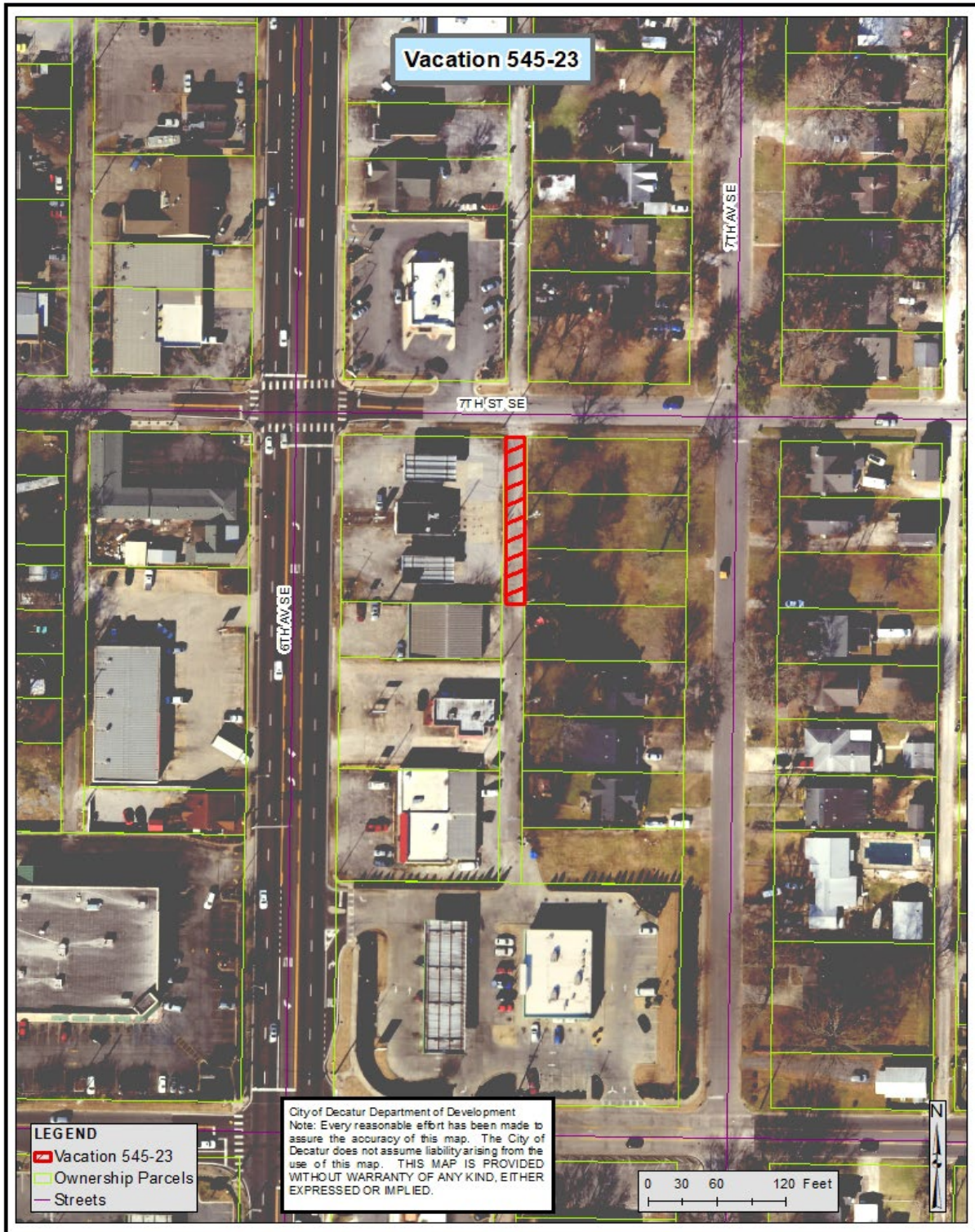
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. Approval of Certificate 3600-23

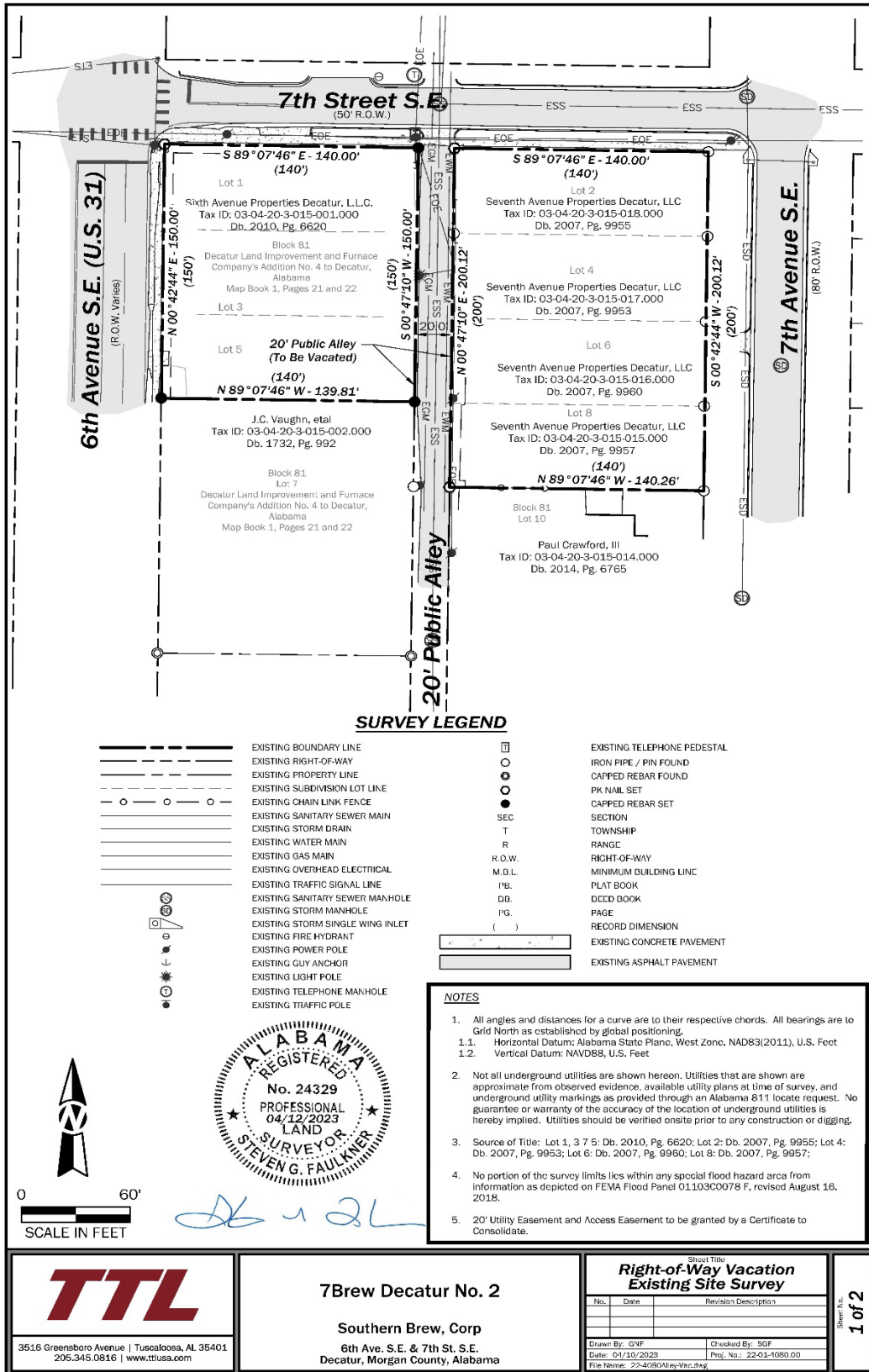
Pt. of Info:

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Utilities will remain in easement across property and may require routine and/or emergency maintenance at some point in the future possibly requiring disruptions to the business and/or property







Annexation

FILE NAME OR NUMBER: Annexation 374-23

ACRES: 19.59 +/-

CURRENT ZONE: None

APPLICANT: KL Enterprises for Mitchell Ventures, LLC

LOCATION AND OR PROPERTY ADDRESS: 2709 Beltline Road SW

REQUEST: Annex 19.59 acre property

PROPOSED LAND USE: Multi-family Development

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood & Community Commercial

ONE DECATUR STREET TYPOLOGY: Beltline Road SW is a Principle Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Application Fees
2. Copy of Deed
3. Annexation Petition
4. Subdivision of Property with Morgan County Must Be Completed Before Forwarding to City Council for Consideration

Pt. of Info:

Any relocation of utilities will be at the owner's expense



